

FILED
U.S. DISTRICT COURT
BRUNSWICK DIV.

2006 NOV -6 P 5:00

CLERK 
SO. DIST. OF GA.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

CARLOS P. RODRIGUEZ,

Plaintiff,

vs.

UNITED STATES OF AMERICA;
BUREAU OF PRISONS; FCI JESUP
MEDICAL STAFF; Ms. WALKER;
Dr. BURGOS; Mr. COPPERSMITH,
and TOM ELLIS, Administrator,

Defendants.

CIVIL ACTION NO.: CV206-168

ORDER

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Plaintiff's claims against the Bureau of Prisons, FCI Jesup Medical Staff, Ms. Walker, Mr. Coppersmith, and Dr. Burgos are **DISMISSED**, without prejudice.

In his Amended Complaint, Plaintiff named Administrator Tom Ellis as a defendant. The Clerk's office added Ellis to the docket of this case; however,

Plaintiff makes no allegations against Ellis. In addition, because Plaintiff brought his claims pursuant to the Federal Tort Claims Act, Defendant Ellis would not be a proper defendant. Accordingly, Plaintiff's claims against Defendant Ellis are also **DISMISSED**, without prejudice.

SO ORDERED, this 6 day of November, 2006.



JUDGE, UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA